

Department of Justice

Washington

Lawrence R. Houston, Esq.,
General Counsel,
Central Intelligence Agency,
Washington 25, D. C.

*Hold for 6 months
for HWD 22 Oct 54
JES*

Dear Mr. Houston:

On March 3, 1954, the Bureau of the Budget forwarded for my consideration a proposed memorandum, prepared for the signature of the President and directed to the Director of Central Intelligence, which would authorize the Director to award the Medal of Freedom in accordance with the criteria set out in Executive Order No. 9586 of July 6, 1945, as amended by Executive Order No. 10336 of April 3, 1952. In its forwarding letter the Bureau of the Budget stated that if the Attorney General should prefer that the proposed authorization to the Director of Central Intelligence be given by an Executive order amending the said Executive Order No. 9586, as amended, the Director of the Bureau of the Budget would have no objection thereto, and that the Bureau had been informally advised that such an order would also be agreeable to your agency, although it would prefer the issuance of the proposed memorandum.

After considering the question as to which form of document should be used, this office concluded that the issuance of an Executive order making appropriate amendment of the existing Executive order prescribing the regulations governing the award of the Medal of Freedom, and designating the officials authorized to make the award, would be preferable to the issuance of the proposed memorandum.

Shortly after receipt of the forwarding letter of the Bureau of the Budget, this office prepared and transmitted to you informally for your consideration and approval a proposed Executive order which would accomplish the purpose intended by amending paragraph 4 of Executive Order No. 9586, as amended by Executive Order No. 10336. The said paragraph, as amended by the proposed order, would read as follows:

"4. The Medal of Freedom may be awarded by the Secretary of State, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Director of Central Intelligence, or by such officers as they may respectively designate.

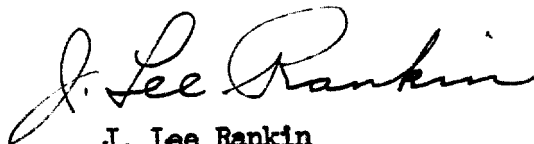
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Awards shall be made under such regulations as the said Secretaries and the said Director shall severally prescribe, and such regulations shall, so far as practicable, be of uniform application."

Upon informal inquiry of this office from time to time you have indicated that you desired to bring the suggested amendatory order to the attention of the Director, but had not yet been able to do so because the Director had been extremely busy and had been absent from his office for extended periods of time. In view of the time that has elapsed since your views with respect to the proposed amendatory order were requested, I should greatly appreciate your furnishing me information as to whether your agency desires any further action to be taken with respect to this matter. In this connection it occurs to me that possibly the desires of your agency for award of the Medal of Freedom may have been met, or might be met, by action taken pursuant to paragraph 2 (b) of the said Executive order, which reads as follows:

"2. (b) Under special circumstances, and without regard to the existence of a state of war or national emergency, the Medal of Freedom may also be awarded by, or at the direction of, the President to any person not herein-after specifically excluded, for performance of a meritorious act or service in the interests of the security of the United States."

Sincerely yours,



J. Lee Rankin
Assistant Attorney General
Office of Legal Counsel